



THE STATE OF UTAH
OFFICE OF STATE ENGINEER
SALT LAKE CITY

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REL: CONTROVERSY CENTER CREEK, NEAR PAROWAN

Memorandum for Office Study only, by REID JERMAN

On May 9, 1939 I made a reconnaissance survey of the fields irrigated by water from Breakwater-Flood channel, southwest of Parowan, Utah, to learn of the condition complained of by Ed. W. Bentley in his letter of May 1, 1939.

I found that the water from Center creek is normally divided into nine streams, and the water - flood or otherwise - which cannot be handled by these nine streams is spilled into Breakwater-Flood channel which skirts the toe of the mountain south of Parowan and flows west into what is called "Breakwater fields."

For years the channel was deep and carried this surplus water without trouble. In recent years dams have been placed in this channel through the field where farming has been done on both sides which has caused it to fill up completely. When the channel was open throughout and surplus water came down into the first field, the owner would use the water as he desired; i.e., Ed. Bentley, or his predecessor, would use what he wanted and the remainder would go past his place and the next owner would do likewise, the results being that eight fields or more have used this high or surplus water in this manner for more than 50 years. Since the channels of Breakwater through the irrigated fields have been filled, the surplus, or flood water, from the creek has found its way into what is called "South ditch" - one of the nine ditches carrying Center creek water - and has been used by the water users whose turns may be on during the flood.

Because of the old practice of Mr. Bentley's predecessor using the flood water first, Mr. Bentley has given notice that he is going to take the surplus flood water which now finds its way through Breakwater channel into the South ditch from said ditch, regardless of whose turn is on, or force the owner, through whose land the original Breakwater channel traverses, to open up the old channel so this surplus water would not find its way into the South ditch; thus, he (Bentley) could get the water as did his predecessor. The people owning land through which this channel ran do not want to open up the old channel which is now planted to crops, nor do they want Mr. Bentley to put control gates and a weir in their canal for the purpose of taking out the surplus water. The people interested have become considerably upset.

After going over the situation with some of the interested parties, Mr. Bentley secured from Mr. Fowler, the land owner to the east, the right to construct a short ditch from the present Breakwater channel to his field. By so doing, he can secure the surplus water from Breakwater, as he has done in the past, and the remainder will flow into the South ditch and be used by Robert Fowler, Clarence Pendleton, Ray and Carl Morris, Beaver & Parowan Bank, William

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This was satisfactory to all concerned and appeared to be the proper way to handle the matter.

REL: CONTROVERSY CENTER CREEK, NEAR PAROWAN. 5/11/39. Pendleton, State of Utah, Wm. J. Gurr, and probably others. Thus, the old channel will not have to be opened up nor will Bentley have to put control works in the South ditch.